IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 2661 /2002 (P.I.L.)

PETITIONERS :

1) Manohar Jethani, aged about 35 years, Son of Late Dr. Varialdas Jethani Near, Kohinoor Hotel, Amardeep Talkies Road, Ganesh Ram Nagar Raipur (C.G.)

2) Kesharmal Agrawal, aged about 65 years, S/o Shri Kashmirilal Agrawal, R/O. Khursipar, Bhilai Distt. Durg (C.G.)

3) Sushil Kumar Soni, Aged about 54 years, Son of Shri Faggulal Soni, R/O Kumhari, Distt. Durg (CG)

4) Rajendra Dubey, aged about 38 years, Son of Chandrika Prasad Dubey R/O Bemetara, Distt. Durg (Chhattisgarh)

5) Laxminath, aged about 60 years, S/O Shri Manglu Sao Tamrakar, R/O. Durg Distt. Durg (C.G.)

6) Ratan Lal Agrawal, aged about 40 years, Son of Shri Grarsilal Agrawal C/O. Goyal Medical Stores New Khursipar, Bhilai Distt. Durg (Chhattisgarh).

P.R. No. 2295/02
Presented by Shri S.K. Mishra
dated 29/11/02

CERTIFIED COPY.
29/11/02
CLERK TO A.G. BILASPUR

.....2

VERSUS

RESPONDENTS : 1) State of Chhattisgarh Through : Secretary Department of health and family welfare Mantralaya, D.K.S. Bhawan Raipur

2) Dr. K.L. Gopawar, Registrar Cum-Secretary, Regisration Tribunal Noorani Chowk, Raja Talab, First Floor Ayurvedic Hospital Compound, Raipur (C.G.)

3) Chhattisgarh State Pharmacy Council Through : Registrar Noorani Chowk, Rajatalab, First Floor, Ayurvedic Hospital Compound, Raipur (Chhattisgarh)

Attested
Sd/-
A.R (J)

Per ..d

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

Amended as per
Court order dated
9-9-2003

16-9-03

(4) Pharmacy Council of India
Through Registrar,
Combined council's Building,
Temple Lane Kotla Road, post
Bax No. 7020, NEW DELHI.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2661/02 सन् 200

(169)

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

2-1-2004

Shri Kishore Bhaduri, Shri Y.C. Sharma and Shri Vinod Lalchandani, Advocates for the petitioners.

Shri Gautam Bhaduri, Dy. Advocate General for respondent No.1.

Shri Prashant Mishra, for respondent Nos.2 and 3.

Shri S. Adiraju, on behalf of Shri V.V.S. Murthy, Additional Central Govt. Standing Counsel, for respondent No.4.

Heard.

By this writ petition under Article 226/227 of the Constitution of India, the petitioners challenge the inaction of the respondents in not holding the elections amongst the registered pharmacists and not issuing the renewal certificates.

It is pointed out by Shri Mishra, learned counsel appearing for respondent Nos.2 and 3, that by a notification dated 11.09.2003 first register as required under Section 30 of the Pharmacy Act, 1948 (hereinafter referred to as the Act in short) has been prepared. It is further submitted that thereafter by a notification dated 09.10.2003 the Pharmacy Council has been constituted under Section 19 of the Act and the Registrar has been duly appointed. It is also submitted

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 2661/02 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

that Ex-Officio Members of other departments have been notified. It is submitted that under the provisions of the Act six registered pharmacists are to be inducted into the Council after election amongst the registered pharmacists in accordance with part(a) of Section 19 of the Act.

Having considered the facts and circumstances of the case and material on record and the fact that since the first register has been prepared and now there will be no difficulty in issuing renewal certificates to the pharmacists, it is directed that the aforesaid requirements be done in accordance with law as early as possible preferably on or before 30.04.2004. All the parties including the State to cooperate.

With the aforesaid observations this petition stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge